

#10

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Meyer, O. et al ) Art Unit: 1625  
Serial No. : 10/075,956 ) Examiner: Owens, A. A.  
Confirmation No. :  
Filed : February 14, 2002  
For : Continuous Process for Preparing Dihydropyrones  
Docket No. : 1/1190 US

**BOX DAC**  
**OFFICE OF PETITION**  
Commissioner for Patents  
Washington, D.C. 20231

FAX RECEIVED

OCT 03 2002

PETITIONS OFFICE

PETITION TO WITHDRAW FROM ISSUE UNDER RULE 313(c)(2)

Applicants hereby petition under 37 CFR 1.313(c)(2) to withdraw the above-identified application from Issue for the purpose of filing a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. It was recently discovered that there are several references Applicants would like the Examiner to consider on the record. The RCE is being filed in order to file an Information Disclosure Statement to submit these references. The RCE and Petition papers are being filed concurrently herewith by facsimile.

The fee for this Petition is \$130.00 under 37 CFR 1.17(h). The Commissioner is hereby authorized to charge this and any other fee required for this Petition to Deposit Account No. 02-2955. Applicants also request a refund of the paid issue fee if such refund is authorized, with the funds to be credited to the above noted Deposit Account.

Respectfully submitted,



Anthony P. Bottino  
Reg. No. 41,629

Patent Department  
Boehringer Ingelheim Corp.  
900 Ridgebury Road  
P.O. Box 368  
Ridgefield, CT 06877  
Tel: (203) 791-6764  
Date: October 2, 2002

Certificate of Facsimile Transmission  
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office at the following fax # (703) 308-6916:  
Office of Petition  
Assistant Commissioner For Patents  
Washington, DC 20231  
on October 2, 2002

  
Anthony P. Bottino

10/04/2002 AKELLEY 00000024 022955 10075956

01 FC:122 130.00 CH



**Boehringer  
Ingelheim**

**Telefax**

**Karen Creasy  
Office of Petition  
Commissioner for Patents  
703-308-6916**

**Boehringer Ingelheim  
Pharmaceuticals Inc.**

Page 1 of

**October 03, 2002**

**Petition to Withdraw from Issue under Rule 313(C)(2)**

**Anthony P. Bottino  
Telephone 203-791-6764  
Telefax 203-798-4408  
E-Mail**

**Dear Ms Creasy:**

**900 Ridgebury Rd/P.O. Box 368  
Ridgefield, CT 06877-0368**

**Please find attached the Transmittal Letter for Information Disclosure Statement  
for Attorney Docket No. 1/1190, Serial No. 10/075,956, and a copy of our Issue  
Fee Transmittal dated October 1, 2002.**

**Very truly yours,**

**Anthony P. Bottino**

**FAX RECEIVED**

**OCT 03 2002**

**PETITIONS OFFICE**